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Date of Deposit: September 26, 2003

I hereby certify under 37 CFR 1.10 that this correspondence and enumerated documents are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name: David Toma

Signature: \_\_\_\_\_

Schulte Roth & Zabel, LLP

Docket No. : 848075/0055

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****PATENT APPLICATION TRANSMITTAL****MAIL STOP PATENT APPLICATION**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a utility patent application

Of: BATTERY

For: Shigeaki FUKUI

ENCLOSED are the following:

1. ☒ Specification, abstract and claims ( 17 pages)
2. ☒ 6 sheets of ☒ formal ☐ informal drawings (Figs. 1-10)  
Suggested Figure for Publication: \_\_\_\_\_
3. ☒ Declaration  
☐ signed ☒ unsigned  
☐ Copy from a prior application (for continuation/divisional)
4. ☒ Application Data Sheet
5. ☐ Preliminary Amendment
6. ☐ Information Disclosure Statement and PTO-1449
7. ☐ Assignment and Assignment Recordation sheet (*Fee calculated separately*)
8. ☐ The prior application is assigned to: \_\_\_\_\_  
The assignment was recorded on \_\_\_\_\_ at reel \_\_\_\_\_ and frame \_\_\_\_\_.  
☐ A copy of the assignment from the prior application is enclosed.
9. ☐ Non-Publication Request
10. ☐ Other:

**NOTE the following:**

11. ☐ This application is made under 37 C.F.R. § 1.53 (b) and is a  
☐ Continuation ☐ Continuation-In-Part ☐ Divisional

13441 U.S. PTO  
10672377

- of Prior Application No. \_\_\_\_\_ filed \_\_\_\_\_
12. ☐ An Extension of time is filed concurrently herewith for the parent application.
13. Small Entity Status:
- ☐ Applicant is a small entity
- ☐ Small entity status claimed in the parent application is no longer proper
14. ☒ Applicants claim priority from the following application(s) under 35 U.S.C. § 119:

<u>Serial Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Certified Copy Encl.</u>
2002-287797	Japan	September 30, 2002	X

15. ☐ Applicants claim priority from the following application(s) under 35 U.S.C. § 120:
16. ☐ Cancel claims \_\_\_\_\_ prior to calculation of the filing fee.

**FILING FEE:** calculated below (after accounting for any preliminary amendment or claims cancellations if noted above):

Basic Filing Fee			\$750.00
Total No. Claims 6	Extra Claims(Total-20) 0	Fee / claim \$18.00	\$0.00
Total No. Independent Claims 1	Extra Independ.(No.-3) 0	Fee / claim \$84.00	\$0.00
Multiple dependent claim? + \$280			
<b>Sub-Total</b>			\$750.00
Small Entity? less 50%			
<b>TOTAL FEE DUE</b>			\$750.00

17. ☒ A check in the amount of \$750.00 is enclosed (must at least cover the basic fee).
- ☐ The Commissioner is authorized to charge \$XXX in connection with this communication to Deposit Account No. 50-0675.

In the event that a petition for extension of time is required to be submitted in the pending prior application, and in the event that a separate petition for the pending prior application is not filed on even date, applicant hereby petitions under 37 C.F.R.1.136(a) for an extension of time in the pending prior application of as many months as are required to render this submission timely. The Commissioner is authorized to charge any fees due in connection with such a petition to Deposit Account No. 50-0675.

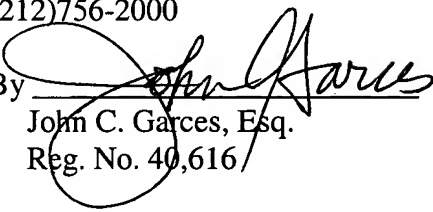
The Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 50-0675.

A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Schulte Roth & Zabel LLP  
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(212)756-2000

By

  
John C. Garces, Esq.  
Reg. No. 40,616

Dated: September 26, 2003  
New York, New York

Encl.  
JCG/DT/ja